



January 31, 2002

HOUSE BILL No. 1354

DIGEST OF HB 1354 (Updated January 30, 2002 1:30 PM - DI 103)

Citations Affected: IC 8-1; noncode.

Synopsis: Basic local exchange service. Requires a telecommunications provider to provide basic local exchange service to all residential customers in the boundary areas in which it offers telecommunications services.

Effective: July 1, 2002.

Mahern

January 15, 2002, read first time and referred to Committee on Commerce, Economic Development and Technology.
January 30, 2002, reported — Do Pass.

C
o
p
y

HB 1354—LS 7040/DI 103+



January 31, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1354

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-1-2-88.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2002]: **Sec. 88.1. (a) As used in this section, "basic local exchange**
4 **service" includes the provision of switched telecommunications**
5 **service carrying calls originating from and terminating in a local**
6 **calling area.**

7 (b) As used in this section, "telecommunications provider" has
8 the meaning set forth in IC 8-1-29-3. The term includes a telephone
9 company (as defined in IC 8-1-2-88).

10 (c) As used in this section, "telecommunications service" has the
11 meaning set forth in IC 8-1-29-4.

12 (d) As used in this section, "telephone service" has the meaning
13 set forth in IC 8-1-2-88. The term includes basic local exchange
14 service.

15 (e) Notwithstanding any other law, a telecommunications
16 provider may not provide telecommunications service unless the
17 telecommunications provider offers basic local exchange service to

HB 1354—LS 7040/DI 103+



1 residential customers in all telephone exchange boundary areas in
2 which the telecommunications provider offers telecommunications
3 service. For purposes of this subsection, a telecommunications
4 provider offers basic local exchange service to residential
5 customers in a telephone exchange boundary area in which the
6 telecommunications provider offers telecommunications service if,
7 not more than one (1) year after offering telecommunications
8 service in a telephone exchange boundary area:

9 (1) the telecommunications provider advertises in a news
10 reporting medium of general circulation the availability of
11 and charges for basic local exchange service to residential
12 customers in a telephone exchange boundary area; and

13 (2) the telecommunications provider:

14 (A) in each telephone exchange boundary area provides
15 basic local exchange service to at least ten (10) residential
16 customers who are not employees or agents of the
17 telecommunications provider; or

18 (B) has a customer base in each telephone exchange
19 boundary area at least twenty-five percent (25%) of which
20 is comprised of residential customers;

21 whichever results in the offering or provision of
22 telecommunications service to the greater number of
23 residential customers.

24 SECTION 2. [EFFECTIVE JULY 1, 2002] (a) A
25 telecommunications provider that holds a certificate of territorial
26 authority that was granted before January 2, 2002, shall comply
27 with IC 8-1-2-88.1(e), as added by this act, before July 2, 2003.

28 (b) This SECTION expires July 2, 2003.

C
o
p
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Economic Development and Technology, to which was referred House Bill 1354, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

FRY, Chair

Committee Vote: yeas 7, nays 6.

C
o
p
y

